

DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

AZIEWE CALLWOOD,

Plaintiff,

v.

FERDIS FOREST INC.,

Defendant.

1:19-cv-00033

TO: Aziewe Callwood, *pro se*

ORDER

THIS MATTER is before the Court upon Plaintiff's Motion for Discovery (ECF No. 5).

This order is issued without necessity of response.

This action was initially filed by Plaintiff on July 22, 2019. (ECF No. 1). Summons were issued on the same day. (ECF Nos. 2, 3). This Court is charged with liberally construing a pleading filed by a *pro se* litigant to allow for the development of a potentially meritorious claim. *See Estelle v. Gamble*, 429 U.S. 97, 106 (1976). However, it would be premature for the Court to allow Plaintiff to initiate discovery at this time. There is no indication that Defendant was actually served, much less that it is even aware of this lawsuit, retained counsel, or suggested that it intends to enter an appearance. As such, the Court must deny this motion at this time.

Should Defendant take action to defend itself in this lawsuit, Plaintiff might be able to file a similar motion at a later stage of the case.

WHEREFORE, it is now hereby **ORDERED** that Plaintiff's Motion for Discovery (ECF No. 5) is **DENIED WITHOUT PREJUDICE**.

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ENTER:

Dated: September 11, 2019

/s/ George W. Cannon, Jr.
GEORGE W. CANNON, JR.
MAGISTRATE JUDGE